

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the prior art does not teach or fairly suggest an article for controlling odor comprising (i) an odor absorbing agent comprising nanoparticles and (ii) two or more zones of at least one visual indicator juxtaposed such that the zone with the lowest concentration of the visual indicator changes color first and the zone with the highest visual indicator concentration changes color last, and wherein the visual indicator is selected from the group consisting of (a) 4,4'-bis(dimethylamino)-benzhydrol, (b) pararosaniline, (c) alpha-naphtholbenzein, and (d) naphthochrome green. Although the prior does teach articles with visual indicators present, the use of the visual indicators in the prior art articles is only to detect the presence of an odorous compound or pH change, such as is caused by ammonia generated by pathogenic bacteria (c.f. Horan: U.S. Patent No. 6,149,952), or to indicate complete sterilization (c.f. Tratnyek: U.S. Patent No. 4,407,960). The prior art does not teach or fairly suggest the use of visual indicators in a series of adjacent or juxtaposed zones that contain a spatial gradient of different concentrations of visual indicator that convey to the user the remaining odor absorbing capacity (i.e. remaining use life) of the claimed article.

Support for the concept of a gradient concentration of the visual indicator can be found, for example, at paragraph [0059] of Applicants' specification and in the abstract. It is also noted that several different suitable concentration ranges of visual indicator are articulated in Applicants' paragraph [0048]. Support for the concept of juxtaposed zones of visual indicator can be found at least in Figures 4A, 4B, and 5. Applicants' amendments do not introduce any new matter. Therefore, pending claims 1, 4-10, 12, 14, 17, 20-26, 28-29, and 31-44 are determined to be free of the art and allowable.

Art Unit: 1616

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Alstrum-Acevedo whose telephone number is (571) 272-5548. The examiner is on a flexible schedule, but can normally be reached on M-F ~10am~5:30 pm, and Saturdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on (571) 272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J.H.A.-A.
Patent Examiner
Technology Center 1600

/Johann R. Richter/
Supervisory Patent Examiner, Art Unit 1616